

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CAPITAL TELECOM HOLDINGS,)	
LLC AND KENTUCKY RSA NO. 1 PARTNERSHIP)	
D/B/A VERIZON WIRELESS FOR ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY TO CONSTRUCT A WIRELESS)	CASE NO.
COMMUNICATIONS FACILITY IN THE)	2016-00337
COMMONWEALTH OF KENTUCKY IN THE)	
COUNTY OF FULTON)	

ORDER

On October 4, 2016, Capital Telecom Holdings, LLC (“Capital Telecom”) and Kentucky RSA No. 1 Partnership, a Delaware General Partnership, d/b/a Verizon Wireless (“Verizon Wireless”) filed an application seeking a Certificate of Public Convenience and Necessity (“CPCN”) to construct and operate a wireless telecommunications facility. The proposed facility consists of a guyed antenna tower not to exceed 300 feet in height, with attached antennas, to be located at 1311 Clinton Moscow Road, Fulton, Fulton County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 34’ 48.4” by West Longitude 88° 58’ 49.35”.

Capital Telecom and Verizon Wireless have provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a licensed professional engineer has certified the plans.

Pursuant to 807 KAR 5:063, Capital Telecom and Verizon Wireless have filed statements of having provided the required notifications regarding the proposed construction. Pursuant to 807 KAR 5:063, Capital Telecom and Verizon Wireless have filed evidence that the county judge/executive and all property owners within 500 feet and contiguous to the cell site have been notified of the proposed construction. The notices solicited any comments and informed the recipients of their right to request intervention. To date, no public comments have been filed with the Commission.

Capital Telecom and Verizon Wireless have filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the proposed facility. The FAA has approved the application and the KAZC application is pending.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that Capital Telecom and Verizon Wireless have demonstrated that a facility is necessary to provide adequate utility service and, therefore, a CPCN to construct the proposed facility should be granted.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Capital Telecom and Verizon Wireless should notify the Commission if the antenna tower is not used to provide service in the manner set out in the application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to

consider the proper practices, including removal of the unused antenna tower, which should be observed by Capital Telecom and Verizon Wireless.

IT IS THEREFORE ORDERED that:

1. Capital Telecom and Verizon Wireless are granted a CPCN to construct a wireless telecommunications facility. The proposed facility consists of a guyed antenna tower not to exceed 300 feet in height, with attached antennas, to be located at 1311 Clinton Moscow Road, Fulton, Fulton County, Kentucky. The coordinates for the proposed facility are North Latitude 36° 34' 48.4" by West Longitude 88° 58' 49.35".

2. Capital Telecom and Verizon Wireless shall file a copy of the final decision regarding the pending KAZC application for the proposed construction within 10 days of receiving this decision.

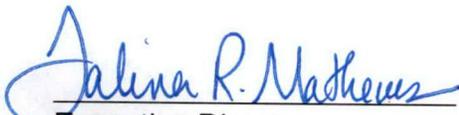
3. Capital Telecom and Verizon Wireless shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of three months in the manner authorized by this Order.

4. Any documents filed in the future pursuant to ordering paragraphs 2 and 3 herein shall reference this case number and shall be retained in the utility's general correspondence file.

By the Commission

ENTERED
NOV 22 2016
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2016-00337

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